

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

NEVADA DEPARTMENT OF
CORRECTIONS,

Plaintiff,

v.

RUSSELL COHEN,

Defendant.

03:07-CV-00266-LRH-RAM

ORDER

Presently before the court is Jimmy Earl Downs's ("Downs") Motion to Stay Opposition to Motion for Summary Judgment (# 64¹). The Nevada Department of Corrections ("NDOC") filed a Motion for Summary Judgment (# 19) on August 31, 2007. No opposition to the motion for summary judgment has yet been filed. Downs asks this court to decide a pending Motion for Reconsideration (# 30) prior to requiring Downs to file an opposition.

In his motion to stay, Downs indicates that the arguments raised in support of reconsideration are essentially the same arguments he will make in opposing summary judgment. In light of this fact, the court will decide both the motion for reconsideration and the motion for summary judgment at the same time in order to conserve judicial resources.

IT IS THEREFORE ORDERED that Downs's Motion to Stay Opposition to Motion for

¹Refers to the court's docket number.

1 Summary Judgment (# 64) is hereby DENIED.

2 IT IS FURTHER ORDERED that Downs shall have thirty (30) days from the date of this
3 order in which to file his points and authorities in opposition to NDOC's motion for summary
4 judgment. No further extensions will be granted. NDOC shall then have fifteen (15) days in which
5 to reply.

6 IT IS SO ORDERED.

7 DATED this 7th day of March, 2008.

8 

9
10

LARRY R. HICKS
11 UNITED STATES DISTRICT JUDGE
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26